



Report to the Auburn City Council

Item
Agenda Item No. **13**

[Signature]
City Manager's Approval

To: Mayor and City Council Members
From: Amy Lind, Deputy City Clerk
Date: January 27, 2014
Subject: City Council Special Rules and Procedures

The Issue

Shall the Council review the revised Council Special Rules and Procedures document?

Conclusion and Recommendation

By RESOLUTION, approve the new City Council Special Rules and Procedures.

Background

The City Council held a workshop on March 4, 2013 to update Resolution 99-46 City Council Special Rules and Procedures dated 5/3/1999. This resolution was essentially a revision of a 1991 resolution. During the meeting, the City Council directed staff to make a series of changes to the existing Rules and Procedures document. The document has now been reviewed on three levels: 1) revisions from Council, 2) clean-up work by staff, 3) City Attorney review. The final draft is being brought back to council tonight for consideration and any final changes.

One of the recommendations brought forward by Council was consideration for use of speaker cards during City Council meetings. It is staff's recommendation that Council chooses a speaker card that best fits their needs, and use on an as-needed basis (during meetings with a large number of speakers present).

Attachments

Minutes of the 3/4/2013 Workshop
Revised Council Rules and Procedures
Speaker Card Options

CITY COUNCIL MINUTES
March 4, 2013
SPECIAL SESSION/ WORKSHOP

A Special Session of the Auburn City Council was held in the Room 10, City Hall, 1225 Lincoln Way, Auburn, California on Monday, March 4, 2013 at 6:00 p.m. with Mayor Hanley presiding and Deputy City Clerk Amy M. Lind recording the minutes.

CALL TO ORDER at 6:00 p.m.

ROLL CALL:

Council Members Present: Keith Nesbitt, J.M. "Mike" Holmes, William Kirby, Bridget Powers, Kevin Hanley

Council Members Absent: None

Staff Members Present: City Manager Robert Richardson, Deputy City Clerk Amy M. Lind

1. **Public Comment**

None.

2. **Review of City Council Special Rules and Procedures**

Council Member Holmes said he brought this item forward because it was last revised in 1999 and needs to be updated. He said the list of committee/ commission/ board appointments also needs updating. He said this workshop is to hold a discussion regarding possible revisions that will be directed to staff to then bring back to Council for approval. He suggested new verbiage for the presiding officer of the City Council. He said this language allows for the voter totals to determine the Mayor and sets 2 year terms for the position of Mayor. He said references to "Mayor Pro Tem" should be renamed to "Vice Mayor" throughout the document. He said he would like to clarify attendance responsibilities on mayoral appointments to boards/commissions/ etc.

Council Member Nesbitt spoke about using best judgment and utilizing alternates in regards to attendance at boards/ commissions/ etc. as the mayoral appointment.

Mayor Hanley suggested four changes: (1) update the suggested "Order of Business" in the procedures to match the current format of agendas, (2) make street address disclosure optional when addressing the Council

(possibly look into speaker cards), (3) remove the list of annually revised Committee/ Commission appointments from the policy/ procedure document.

City Manager Bob Richardson said staff will make other minor revisions to the document and bring back to Council.

Curt Smith, resident of Auburn, asked if the appointments to Committees/ Commission could be posted on the website.

Stephanie Snyder, City Clerk, said the goal of these revisions is to create a leaner improved policy and procedures for the Council.

Bob Richardson clarified that the "Council Correspondence" portion of the policy & procedures is limited to use of city letterhead.

The Council then reviewed the current appointments to Committees and Commissions.

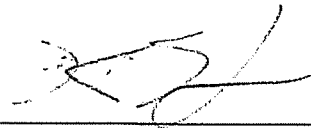
Council Member Holmes asked whether there is a need for a city council appointment to the Placer County Community Services Commission now that it is being led by Project Go, Inc. Council Member Kirby said his understanding is they would like an elected volunteer representing the Auburn area.

Council Member Holmes said he would like to discuss the continued membership of Placer County Flood Control District.

Mayor Hanley, as the appointment on the Flood Control Board explained the history of the board and the possible benefits of continued membership. He said the question needs to be posed to the district of Auburn's direct benefits of membership.

ADJOURNMENT

Mayor Hanley adjourned the meeting, without objection, at 7:45 p.m.



Kevin Hanley, Mayor

Amy M. Lind, Deputy City Clerk

City of Auburn



City Council Special Rules and Procedures

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I. AUTHORITY

A. *Authority*

The Council of the City of Auburn does hereby adopt and establish the following rules for the conduct of its meetings, proceedings and business. They are intended to supplement, and not contradict the Auburn Municipal Code and applicable law and shall be interpreted in light of that intent.

II. MEETINGS

A. *Regular Meetings*

The Council shall hold its regular meetings on the second and fourth Mondays of each month at 6:00 p.m.

B. *Meeting Place*

The Council shall meet in the Council Chambers, Auburn Civic Center, 1225 Lincoln Way, or at such other place to which the meeting may be adjourned. In case of an emergency or other condition rendering the Council Chambers unsafe or unsuitable for the meeting, the meeting may be held for the duration of such condition at such other place as may be designated by the Presiding Officer.

C. *Study Sessions*

The Council shall endeavor to meet on the first and third Mondays of each month at 6:00 p.m. in the Civic Center for study purposes of future City actions. Study sessions are open to the public and are meetings for purposes of the Ralph M. Brown Act (Government Code Section 54950 et seq.). Council may not take any formal action at study session meetings. A study session may be called by the Mayor, by the Presiding Officer in the absence of the Mayor, or by two members of the Council.

D. *Special Meetings*

1. A special meeting may be called by the Mayor or by a majority of the Council in the manner provided by the Ralph M. Brown Act, California Government Code sections 54950 et seq. ("the Brown Act").
2. Notice of the special meeting shall be given by the Clerk at least twenty-four (24) hours in advance thereof by delivering written notice personally, by e-mail, or by mail to each member of the Council at his or her usual place of residence and to the newspaper of general circulation as adjudicated by the Placer County Superior Court and the local radio station(s) and to any other person who makes a written request and pays the cost, as provided by the Brown Act. Such notice shall specify the time and place of the special meeting and the business to be transacted. Written notice of the meeting need not be given to any member of the Council who consents to the scheduling of the meeting in writing to, or who is present

at the time the special meeting was scheduled. The notice shall be posted at least twenty-four (24) hours prior to the special meeting at the locations specified in section V.(b).

3. Business at a special meeting shall be limited to the items specified in the special meeting notice.

E. Emergency Meetings

1. In the case of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities or other reasons authorized by the Brown Act, the City Council may hold an emergency meeting without complying with either the 24-hour notice requirement or the 24-hour posting requirement of Government Code Section 54956.
2. For purposes of this section, "emergency situation" has the meaning provided by the Brown Act and includes either of the following:
 - a) Work stoppage or other activity which severely impairs public health, safety, or both, as determined by a majority of the City Council, or
 - b) Crippling disaster which severely impairs public health, safety, or both, as determined by a majority of the City Council.
3. Each local newspaper of general circulation and radio or television station which has requested notice of special meetings pursuant to Government Code Section 54956 shall be notified by the Presiding Officer or his or her designee by telephone one hour prior to the emergency meeting. (Refer to Government Code Section 54956.5 for further noticing requirements.)
4. Notwithstanding Government Code Section 54957, the City Council shall not meet in closed session during an emergency meeting except as authorized by Government Code section 54956.5.
5. All special meeting requirements, as prescribed in Section II.D. shall be applicable to a meeting called pursuant to this section, with the exception of the 24-hour notice requirement.
6. The minutes of a meeting called pursuant to this section, a list of persons who the Presiding Officer or his or her designee notified or attempted to notify, a copy of the roll call vote, and any actions taken at the meeting shall be posted on the City's website or for a minimum of 10 days as soon after the meeting as possible.

F. Closed Sessions

The Council may hold closed sessions during a regular or special meeting, or at any time otherwise authorized by law, to consider or hear any matter which it is authorized by state law to hear or consider in closed session, and may exclude

from any such closed session any person or persons which it is authorized by state law to exclude from such closed sessions.

G. *Adjourned Meetings*

The Council may adjourn any regular, special, adjourned regular or adjourned special meeting to a time and place specified in the order of adjournment. A copy of the order of adjournment shall be conspicuously posted on or near the door of the place where the regular, adjourned regular, special or adjourned special meeting was held within twenty-four (24) hours after the time of the adjournment.

H. *Quorum*

1. Except where otherwise provided by law, three (3) Council members present and qualified to act, shall be a quorum for the transaction of business at Council meetings.
2. In the absence of a quorum, a lesser number may adjourn the meeting or postpone any business to a later time.
3. In the absence of any Council member present and qualified to act, the Clerk shall adjourn the meeting to a stated day and hour and personally serve each Council member with a notice of the time of such adjourned meeting at least three (3) hours prior hereto.

I. *Meetings Open to the Public*

Except as specifically provided by law for closed sessions, all meetings of the Council shall be open and public. All persons desiring to attend shall be permitted to attend any meeting. In the event any meeting is willfully interrupted by an individual or groups of people so as to render the orderly conduct of the meeting infeasible and order cannot be restored, the offending individual(s) shall be ordered by the Mayor to vacate the Council Chambers. Only matters appearing on the agenda may be considered during such session. Representatives of the press, unless participants in the disturbance, shall be allowed to attend such session, and nothing shall prohibit the Council from readmitting individuals not responsible for the disturbance.

J. *Council Attendance at Meetings*

If any Council member cannot attend a meeting, he or she shall notify the Clerk or City Manager as soon as possible, but in no event later than noon on the meeting day, except in the case of an emergency, and then as soon as reasonably possible.

K. *Staff Attendance at Meetings*

1. The City Manager shall attend all meetings of the Council unless excused. The City Manager may make recommendations and shall have the right to take part in all discussions of the Council, but shall have no vote.
2. The City Attorney shall attend all regular, adjourned and special meetings unless excused by the City Manager or the Mayor. The City Attorney upon request shall give opinions, either written or oral, on questions of law.

3. The City Clerk shall attend all regular, adjourned and special meetings unless excused by the City Manager or the Mayor or represented. The City Clerk shall record, prepare and maintain the official record of the Council meetings.

4. Department heads and employees shall attend as directed by the City Manager.

L. *Cancellations*

Any meeting of the Council may be canceled in advance by a majority of the Council. The Mayor may cancel a meeting in the case of an emergency or when a majority of members have confirmed their unavailability to attend a meeting.

M. *Presiding Officer*

The Mayor shall preside over all Council meetings. In his/her absence, the Vice Mayor shall serve as Presiding Officer. In the absence of both, the senior Councilmember or another Councilmember chosen by those present shall serve as Presiding Officer.

III.THE PRESIDING OFFICER

A. *Elections*

The City Council shall annually elect a Mayor and a Vice Mayor at its first meeting in December in non-election years and at the first meeting whereby the newly-elected or appointed Council members are seated in election years.

B. *Duties of the Presiding Officer*

1. The Presiding Officer shall preside and preserve order at all regular and special meetings of the Council.
2. The Presiding Officer shall decide all questions of order without debate, subject, however, to appeal and a majority vote, as per Section VIII.G.2.c. Subject to said appeal, the Presiding Officer shall have the authority to prevent the misuse of the legitimate form of motions, or the abuse of privilege of renewing certain motions, to obstruct the business of the Council by ruling such motions out of order. In so ruling, the Presiding Officer shall be courteous and fair and should presume that the moving party is making the motion in good faith.

C. *Presiding Officer – Rights*

The Presiding Officer can make motions and second from the chair, shall have the right to debate subject only to such limitations of debate as are imposed on all members, and shall be deprived of none of the rights or privileges of a Council member by reason of his or her occupying the chair.

IV. COMMITTEES, COMMISSIONS, TASK FORCES, AND CITY COUNCIL MEMBER LIASIONS

A. Authority

1. The City Council may establish internal and external committees, commissions or task forces for the purpose of advising and/or making recommendations to the City Council on matters pertaining to issues within the City's jurisdiction or interest, unless otherwise specified in the entity's charter. Generally, a task force will be established to complete a specified and timed project and once that project is complete, the task force will automatically cease to exist (sunset).
2. When establishing a committee, commission, or a task force, the City Council shall include the following: a) Purpose(s); b) Membership (number of members, alternates, and criteria for membership); c) Chair/vice chair selection; d) Membership term; e) Timeline to complete that purpose(s), if appropriate; and, f) Sunset date, if appropriate
3. The City Council may review, or cause staff to review, the authority for each committee, commission, and task force and make any necessary amendments to that authority or dismiss a committee, commission, or task force with reason and with a majority vote.
4. The Mayor may appoint ad hoc committees to the City Council for the purpose of completing a specific project. Ad hoc committees shall be comprised of at least one Council member, may contain public members, and shall act in an advisory capacity, unless otherwise specified by the City Council. If a committee's members are not limited to two Councilmembers, it is a legislative body subject to the Brown Act.
5. The City's Planning Commission is specifically excluded from Section IV of these rules and governed by Chapter 32 of the Municipal Code.
6. Except as otherwise provided by law, the Mayor shall appoint members of the City Council to serve as members of any non-City boards, committees, commissions, or task forces, as specified.
 - a) A list of non-City board, committee, commission or task force appointments shall be maintained in the City Clerk's Office.
7. The Mayor may appoint a City Council member to serve as a liaison to any City internal or external committee, commission, or task force or to any non-City board, committee, commission, or task force that calls for a member to be appointed by the City of Auburn.

- a) A list of liaison appointments shall be made maintained in the City Clerk's Office.

B. *Internal Committees*

1. Internal committees shall be established by the City Council by a majority vote. For the purpose of these rules, an internal committee is comprised of Council member(s), to be appointed by the Mayor; staff; and/or a Council-appointed member of another Council committee, commission, or task force. No public members shall serve on an internal committee.
2. The Mayor shall appoint the Chair of the internal committee. The internal committee may elect a Vice Chair from among its members.
3. An internal committee may take independent action without approval by the City Council only if expressly so authorized in the committee's charter. Any two City Council members may request at any time that a matter before an internal committee be scheduled for City Council consideration at a publicly-noticed meeting.
4. Internal committees shall report their actions annually to the City Council unless otherwise directed by the City Council.
5. A list of internal committees shall be maintained in the City Clerk's Office.

C. *External Committees, Commissions, and Task Forces*

1. External committees, commissions, and task forces shall be established by the City Council by a majority vote. For the purpose of these rules, an external committee, commission, or task force is: comprised of public members; may include a City Council member appointed by the Mayor; and is created for the sole purpose of advising the City Council on City business.
2. The Mayor may appoint the Chair of an external committee, commission, or task force, or he/she may designate that duty to the committee, commission, or task force. The external committee, commission or task force may elect its own Vice Chair from among its members.
3. With the exception of the Planning Commission, no external committee, commission or task force shall take action on an issue without prior City Council approval, unless otherwise expressly specified in the committee, commission, or task force charter.
4. External committees, commissions, or task forces shall report their actions annually unless otherwise directed by the City Council.
5. A list of external committee, commission or task force appointments shall be maintained in the City Clerk's Office.

V. THE AGENDA

A. *Agenda and Background Information*

1. For all meetings, the City Manager shall cause to be prepared an agenda setting forth the time and place of the meeting and a brief general description of each item of business to be transacted or discussed at the meeting. Any Council member may request that an item be included on the agenda by submitting the request to the City Manager, who shall grant or deny the request in his or her discretion. A request by any two (2) Council members will be sufficient to require the City Manager to schedule an item on the next available agenda. Items to be included must be submitted to the City Manager no later than the date established by the City Manager.
2. Except with respect to items agendized by two councilmembers pursuant to paragraph V.A.1. above, the City Manager shall cause to be prepared a staff report giving pertinent facts and background information and, where appropriate, a recommendation on each item which requires Council action.

B. *Posting*

At least seventy-two (72) hours before each regular meeting the Clerk shall post the agenda at specified locations, including, but not limited to, the glass case located at front entrance of City Hall and on the City's website.

C. *Non-Agenda Items*

1. No action shall be taken on any item not appearing on the posted agenda, except as provided in Government Code Section 54954.2. This section allows action under the following circumstances:
 - a) A majority of the Council determines that an emergency exists (defined in Government Code Section 54956.5).
 - b) Two-thirds (2/3) of the Council (or, if less than two-thirds of the Council is present, by unanimous vote of those present) determines that there is a need for immediate action and that the need came to the City's attention after the agenda was posted; or
 - c) The item was listed on an agenda for a prior meeting occurring not more than five (5) days earlier and was continued for action to the meeting where action is to be taken.

VI. ORDER OF BUSINESS

A. *Regular Meetings*

The order of business of all regular meetings of the Council shall be as follows:

1. Call to Order
2. Pledge of Allegiance

3. Roll Call and Declaration of a Quorum
4. Mayor's Commendation/Proclamations/ Acknowledgements/ Announcements
5. Agenda Approval
6. Consent Calendar Review and Approval
7. Public Comment
8. Public Hearing
9. Council Business
10. Reports (including Council Reports)
11. Adjournment

B. *Regular Meetings – Change*

The order of business herein prescribed may be changed any time during the meeting by a majority vote of the Council or by general consent.

C. *Consent Calendar*

Any non-hearing item may be placed on a consent agenda and enacted by one motion. Consent items are generally considered very routine and non-controversial. There will be no separate discussion of these items unless a member of the Council so requests. Citizens may request a Councilmember to make such a request on his or her behalf. If such a request is made, the item shall be removed from the consent agenda and considered during the course of the meeting in an order directed by the Presiding Officer.

VII. CONDUCT OF BUSINESS

A. *Session*

The Presiding Officer shall take the chair precisely at the hour appointed for the meeting and shall immediately call the Council to order and call for the pledge of allegiance.

B. *Roll Call*

Before proceeding with the business of the Council, the roll of the members shall be called by the Clerk, the Presiding Officer shall state whether a quorum is present, and the names of those present shall be entered in the minutes.

C. *Minutes -Preparation and Distribution*

1. The minutes of the Council shall be prepared by the Clerk, approved by the Council, and shall be maintained in a form acceptable to the City Council.
2. As soon as possible after every Council meeting, the Clerk shall cause a copy of the preliminary minutes thereof to be given to each member of the Council, the City Manager and Department Directors for review.

D. Minutes -Approval and Reading

Minutes shall be provided with regular Council agendas and typically placed on the consent agenda. Members of the Council, staff, and/or public may remove the minutes for discussion, clarification or change. Correction of typographical errors and other non-substantive changes should be reported to the Clerk in advance of the meeting to avoid the need to devote Council meeting time to discussing them.

E. Standards of Decorum

1. Efficient Conduct of Meetings

It is the intent of the Council that all Council meetings be conducted as efficiently and in as business-like a manner as possible; while still permitting reasonable discussion, consideration and public participation on agenda items. Council members are encouraged to direct questions to staff or other persons as well in advance of Council meetings as possible. The purpose of this policy is to ensure that Council members are fully informed on Council matters before public meetings are held to consider the matter and, further, to provide staff a reasonable opportunity to provide additional information prior to meetings.

Council members and staff wishing to present or distribute additional written information or materials to the Council should do so as well in advance of a Council meeting as possible. The purpose of this policy is to ensure that Council members may consider issues as fully as possible before taking action and to avoid surprise or delay. Materials distributed to a quorum of the Council become public records subject to disclosure unless a legal basis for non-disclosure (such as attorney-client privilege or personnel privacy) applies.

2. Council Member

While the Council is in session, the members shall preserve order and decorum and no member shall, either by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council or disturb any member while speaking, or refuse to obey the orders of the Council or its Presiding Officer. Council members are expected to be courteous at all times in their dealings with the public, staff and each other.

F. Manner of Addressing Council

1. Each person addressing the Council is asked to give his name and address in an audible tone of voice for the record. Although the law permits anonymous speech and protection of addresses, the Council encourages the provision of this information to encourage civil discussion and to allow City to contact commenters to address their concerns. All remarks shall be addressed to the Council as a body and not to any member thereof, or to staff, or to the public. No person, other than a member of the Council, the City Manager or the City Attorney and the person having the floor, shall be

permitted to enter into any discussion without the permission of the Presiding Officer.

2. Whenever any group of persons wishes to address the Council on the same subject matter, the Presiding Officer may request that a spokesman be chosen by the group to address the Council and, in case additional comments/matters are to be presented at the time by any member of the group, to limit the number of persons so addressing the Council or the time each may speak, so as to avoid unnecessary repetition. The limiting of debate requires a two-thirds (2/3) vote or general consent of the Council.

VIII. RULES OF CONDUCT

A. *Business*

Business matters, as included on the agenda published pursuant to the Brown Act, shall be brought before the Council by motion in accordance with the following standards of conduct.

B. *Obtaining the Floor*

Any member of the Council wishing to speak must first obtain the floor by being recognized by the Presiding Officer. The Presiding Officer must recognize any Council member who seeks the floor when appropriately entitled to do so and in the order of his/her request to the Presiding Officer.

C. *Consideration of an Item*

The Presiding Officer introduces each item scheduled for discussion and/or consideration by the City Council. Staff will then summarize the item and take questions from the City Council. The Presiding Officer then opens the floor to public comment. After public comment, City Council Members may discuss the item and make motion for action by the City Council. Before the motion can be considered or debated, it must be seconded. If there is no second, the Presiding Officer states the motion fails for lack of a second. Once the motion has been properly made and seconded, the Presiding Officer shall open the matter for debate, offering the first opportunity to debate to the moving party and thereafter to any City Council Member properly recognized by the Presiding Officer. Upon completion of any debate and public comment, the Presiding Officer shall call for a vote and no further debate will be allowed.

D. *Voting*

All Council members present at a meeting when a question comes up for a vote shall vote (unless abstaining per Section X.B.) for or against the measure, unless he/she is disqualified (per Section X.D.) from voting and abstains because of such disqualification. If the vote is a voice vote, the Presiding Officer or Clerk shall declare the result and note for the record all "aye" votes and all "no" votes. The Council may also vote by roll call or voting

equipment. Regardless of the manner of voting, the results reflecting all "ayes" and "noes" must be clearly set forth for the record.

E. Procedural Rules of Order

Once the main motion is properly placed on the floor, several related motions may be employed in addressing the main motion. These motions take precedence over the main motion, and if properly made and seconded, must be disposed of before the main motion can be acted upon. The following motions are appropriate and may be made by the Presiding Officer or any Council member at any appropriate time during the discussion of the main motion. They are listed in order of precedence. The first three (3) subsidiary motions are non-debatable; the last four (4) are debatable. (Ranking motions are attached.)

F. Subsidiary Motions

A subsidiary motion assists the Council in treating or disposing of a main motion and sometimes of other motions.

1. Lay on the Table

Any Council member may move to lay the matter under discussion on the table. This motion temporarily suspends any further discussion of the pending motion without setting a time certain to resume debate, and is used if some urgent matter requires immediate attention. It must be moved and seconded and passed by a majority vote. In order to bring the matter back before the Council, a member must move that the matter be taken from the table, seconded and passed by a majority or by general consent. A motion to take from the table must be made at the same meeting at which it was placed on the table or at the next regular meeting of the Council (and only if the tabled matter appears on that agenda or may lawfully be discussed without having been agendaized). Otherwise, the motion that was tabled dies, although it can be raised later as a new motion.

2. Moved Previous Question

Any Council member may move to immediately bring the question being debated by the Council to a vote, suspending any further debate. The motion must be made and seconded without interrupting one who already has the floor. This requires a two-thirds (2/3) vote, or can be by general consent. The Presiding Officer may, in response to a motion to call the previous question order an end to debate and, in the absence of an objection, debate shall end. If any Councilmember objects, a vote on the motion to terminate debate shall be taken.

3. Limit or Extend Limits of Debate

Any Council member may move to limit or extend debate. The motion must be made and seconded and requires two-thirds (2/3) vote of the Council to pass or by general consent. The Presiding Officer may, in

response to a motion to extend or limit debate may order extended or limited debate and, in the absence of an objection, debate shall be so limited or extended. If any Councilmember objects, a vote on the motion to extend or limit debate shall be taken.

4. Postpone to a Certain Time

Any Council member may move to postpone the pending question to a certain time: The motion to postpone continues the pending main motion to a future date as determined by the Council at the time the motion to postpone is passed. The motion to postpone must be seconded and requires a majority vote for passage or by general consent.

5. Commit or Refer

Any Council member may move that the matter being discussed should be referred to a committee, commission, or task force for further study. The motion must be seconded and requires a majority vote for passage. The motion may contain directions for the committee, commission, or task force, as well as a date upon which the matter will be returned to the Council's agenda.

6. Amend

Any Council member may amend the main motion or any amendment made to the main motion. Before the main motion may be acted upon, all amendments and amendments to amendments must first be acted upon. A motion to amend must be seconded and requires a majority vote for passage. An amendment must be related to the main motion or amendment to which it is directed. The Presiding Officer may declare out of order any amendment which constitutes a new motion rather than amending the existing motion.

a) Examples of How to Amend a Motion

- You may add a word or phrase at the end of the motion
- You may insert a word or phrase
- You may strike out a word or phrase
- You may strike out and insert a word or phrase
- You may substitute language

b) Examples of Amendments That Are Out of Order

- One that is not germane (not related) to the question
- One that makes the adoption of the question equivalent to the negative of the original question
- When it is identical with a question previously decided by the Council during the meeting
- To strike out the word "resolve" from a resolution
- To strike out words or insert words which would leave no rational meaning

- An amendment that is frivolous or absurd

7. Postpone Indefinitely

Any Council member may move to postpone indefinitely the motion on the floor. It kills the main motion, thus avoiding a direct vote on the pending motion, and suspending any further action on the matter. The motion must be seconded and requires a majority vote.

G. *Motions of Privilege, Incidental and Restorative*

The following actions by the Council are to ensure orderly conduct of meetings and for the convenience of the Presiding Officer and Council members. These motions take precedence over any pending main or subsidiary motion and may or may not be debated as noted.

1. Privileged Motions

A privileged motion deals with special matters of immediate importance. It does not relate to the pending business.

a) Call for Orders of the Day

Any Council member may demand that the agenda be followed in the order stated therein or as the Council has previously amended it. No second is required and the Presiding Officer must comply, unless the Council, by two-thirds (2/3) vote, amends the agenda further.

b) Question of Privilege

Any Council member, at any time during the meeting, may make a request of the Presiding Officer to accommodate the personal needs of the Councilmember for such things as reducing noise, adjusting air conditioning, ventilation, lighting, etc. Admissibility of question is ruled on by the Presiding Officer.

c) Recess

Any Council member may move for a recess. The motion must be seconded and a majority vote is required for adoption or agreed by general consent. The motion is debatable.

d) Adjourn

Any Council member may move to adjourn at any time; however, a motion to adjourn is not in order when voting. The motion must be seconded and a majority vote is required for adoption. The motion is not debatable. When the adopted agenda is completed, the Presiding Officer announces the fact and simply declares the meeting adjourned. When the agenda is completed, the Presiding Order may order the meeting adjourned and, in the absence of an objection, the meeting shall then adjourn. If any Councilmember objects to the order, a motion, second and majority vote shall be required to adjourn the meeting.

2. Incidental Motions

An incidental motion is related to the main motion such that it must be decided before business can proceed.

- a) Point of Order
Any Council member may require the Presiding Officer to enforce the rules of the Council by raising a point of order. The point of order shall be ruled upon by the Presiding Officer.
- b) Point of Information
Any Council member may state a fact or call for clarification by raising a "point of information." This motion requires no second or vote. The Presiding Officer decides its relevance.
- c) Appeal
Should any Council member be dissatisfied with a ruling of the Presiding Officer, he/she may move to appeal the ruling to the full Council. The motion must be seconded. A majority vote in the negative or a tie vote sustains the ruling. The motion is debatable and the Presiding Officer may participate in the debate and may vote to create a tie, thus sustaining his/her decision.
- d) Suspend the Rules
Any Council member may move to suspend the rules if necessary to accomplish a matter that would otherwise violate the rules, providing the proposal is not in conflict with local, state or federal law. The motion requires a second and a two-thirds (2/3) vote is required for passage.
- e) Division of Question
Any Council member may move to divide the subject matter of a motion which is made up of several parts to vote separately on each part. The motion requires a second and a majority vote for passage. This motion may also be applied to complex ordinances or resolutions.

3. Restorative Motions

A restorative motion brings a question again before the Council.

- a) Reconsider
Except for votes regarding matters which are quasi-judicial in nature or matters which require a noticed public hearing, the Council may reconsider any vote taken at the same session no later than the same day or next calendar day, to correct inadvertent or precipitant errors, or consider new information not available at the time of the vote. The motion to reconsider the vote must be made by a Council member who voted on the prevailing side, must be seconded and requires a majority vote for passage regardless of the vote required to adopt the motion being reconsidered. If the motion to reconsider the vote is successful, the matter to be reconsidered takes no special precedence over other pending matters and any special voting requirements related thereto still apply. Except pursuant to a motion to reconsider the vote, once a matter has been determined and voted upon, the same matter cannot be brought up again at the same meeting.
- b) Rescind, Repeal or Annul

The Council may move to rescind, repeal or annul any prior action taken with reference to any legislative matter so long as the action to rescind, repeal or annul complies with all the rules applicable to the initial adoption, including any special voting or notice requirements or unless otherwise specified by law.

H. Parliamentary Authority

The making and handling of all motions shall be governed by the Presiding Officer subject to the provisions of Roberts Rules of Order, newly revised, as amended and supplemented by these Special Rules and Procedures.

IX. PUBLIC HEARINGS

A. Procedure for Public Hearings

The order of conducting a public hearing by the Council shall be as follows:

1. Presiding Officer announces the item and opens the public hearing
2. Staff report
3. Questions of staff for clarification by Council members
4. Statement by project proponents
5. Questions of proponents or staff by Council members
6. Statements by public — the Presiding Officer may request those speaking in favor of the item to speak first, followed by those opposed
7. Questions of public or staff by Council members
8. Response by project proponents
9. Response by staff
10. Final questions by Council members to staff, project proponents or public
11. Presiding Officer closes the public hearing or asks for motion to close the public hearing
12. Council discussion
13. Council action, as appropriate

B. Time for Consideration

Matters noticed to be heard by the Council shall commence at the time specified in the notice of hearing, or as soon thereafter as is reasonably possible, and shall continue until the same has been completed or until other disposition of the matter has been made.

C. Continuance of Hearings

Any hearing being held or noticed or ordered to be held by the Council at any meeting may, by order or notice of continuance, be continued or re-continued to any subsequent meeting in the manner provided herein for adjourned meetings; provided that if the hearing is continued to a time less than twenty-four (24) hours after the time specified in the order or notice of hearing, a copy of the order or notice of continuance of hearing shall be posted immediately following the meeting at which the order or notice of continuance was adopted or made.

X. VOTING

A. Majority Vote

1. Except as provided below, and except where otherwise required by law, all motions by the Council shall be carried by a majority vote of all members who are present, qualified to act and who cast either an "aye" or "nay" vote, provided that a quorum is present.
2. No motion shall be adopted by the affirmative vote of less than two (2) members.
3. Resolutions, orders for the payment of money, and ordinances require the affirmative votes of at least three (3) Council members for passage.
4. In the event of a tie vote, the motion fails.

B. Abstention

An abstention shall be recorded when a member, although qualified to vote on a motion, chooses not to register his or her vote and instead casts no vote whatever.

C. Abstention – Majority Vote

An abstention shall not be considered for purposes of determining a majority vote. For purposes of determining whether a sufficient number of Council members are present to act on an item of business, however, the abstaining member shall be counted as present. For example, where five (5) Council members are present and qualified to vote, a vote on a motion of two (2) in favor, one (1) opposed and two (2) abstain would be a majority vote. Likewise, where four (4) Council members are present and qualified to vote, a vote on a motion of two (2) in favor and two (2) abstain would be a majority vote.

D. *Conflict of Interest*

No Council member shall make, participate in making or in any way attempt to use his or her official position to influence a decision on any issue when prohibited from so doing by law.

E. *Conflict of Interest – Member Considered Absent*

A Council member disqualified from participation because of Section X.D. shall not be considered present at the meeting for the item(s) of business on which such member is disqualified.

F. *Conflict of Interest – Conduct During Consideration of Item*

At the time the Presiding Officer calls an item from which a Council member is disqualified from participation under Section X.D., the disqualified Council member shall announce the fact and the reason he or she is disqualified for the record and shall thereafter refrain from any participation as a Council member in the discussion and action on the item. The disqualified Council member may, however, make a public comment as a private citizen if permitted by applicable law. Except as to matters on the consent calendar, the disqualified Council member shall leave the Council Chambers until the item is decided.

XI. COUNCIL CORRESPONDENCE

A. *Using City Letterhead*

Council members may use City letterhead stationery when corresponding with constituents or public officials. The use of this stationery is limited to official business of the City. Council members, when using this stationery to state their personal opinions on issues, are to label these opinions as their own when not the opinion of the City Council having been determined by a majority vote of the Council at a meeting. If a Councilmember states an opinion on City letterhead that differs from the official position taken by the City Council, Council members should state what the Council's position is on the subject. If no position has been taken and the matter will soon be before the Council, this should also be reflected in the correspondence.

XII. VALIDITY OF ACTIONS

A. *Failure to Follow Rules*

No action taken by the Council which is otherwise legally valid shall be voided or nullified by reason of a failure to follow these Special Rules and Procedures.

XIII. AMENDMENTS

A. Approval

These rules and procedures may be amended with an affirmative vote of no less than three members of the City Council.

B. Notice

Any such amendment must be publicly noticed in accordance with the Brown Act before its adoption.

LIST OF RANKING MOTIONS

Motions are listed in the order of their precedence, with the highest ranking at the top. After a motion has been stated by the Presiding Officer, higher ranking motions are in order but not lower ranking motions, except that Amend and Previous Question can be applied to amendable and/or debatable motions of higher rank than themselves.

Rules Relating to Motions

<u>PRIVILEGED MOTIONS</u> – A privileged motion deals with special matters of immediate importance. It does not relate to the pending business.					
	Recognition	Second	Debatable	Amendable	Vote
To Fix Time to Which to Adjourn	Yes	Yes	No	Yes	Majority
To Adjourn	Yes	Yes	No	No	Majority
To Recess	Yes	Yes	No	Yes	Majority
Raise a Question of Privilege	No	No	No	No	Chair
Call for the Orders of the Day	No	No	No	No	Chair
<u>SUBSIDIARY MOTIONS</u> – A subsidiary motion assists the assembly in treating or disposing of a main motion and sometimes of other motions.					
	Recognition	Second	Debatable	Amendable	Vote
To Lay on the Table	Yes	Yes	No	No	Majority
The Previous Question (Close Debate)	Yes	Yes	No	No	2/3
To Limit or Extend Debate	Yes	Yes	No	Yes	2/3
To Postpone to a Certain Time (or Definitely)	Yes	Yes	Yes	Yes	Majority
To Refer or Commit	Yes	Yes	Yes	Yes	Majority
To Amend	Yes	Yes	Yes	Yes	Majority
Postpone Indefinitely	Yes	Yes	Yes	No	Majority
<u>MAIN MOTIONS</u> – a main motion brings business before the assembly.					
	Recognition	Second	Debatable	Amendable	Vote
Main Motion	Yes	Yes	Yes	Yes	Majority
<u>NON-RANKING, INCIDENTAL MOTIONS</u> – An incidental motion is related to the parliamentary situation in such a way that it must be decided before business can proceed.					
	Recognition	Second	Debatable	Amendable	Vote
Point of Information	Yes	No	No	No	Chair
Parliamentary Inquiry	No	No	No	No	Chair
Point of Order	No	No	No	No	Chair
Appeal Decision of Chair	No	Yes	Yes	No	Majority



City of Auburn City Council Speaker Card

Please complete this card and present it to the City Clerk before addressing the City Council.

PUBLIC COMMENT: (The Public Comment section provides an opportunity for citizens to address the City Council on items not listed on the agenda. The Council welcomes your comments under this section, but is prohibited by State law from discussing items not listed on the agenda. Your item will be taken under consideration and referred to staff.)

MEETING DATE: _____

CHECK ONE: I wish to speak during Public Comment I wish to speak on Agenda item(s) # _____

Name: _____ Phone: _____

Address: _____

City Zip

Organization: _____

I do not wish to speak, but leave these comments for the Council to consider: _____

This information is voluntary and will assist in the preparation of minutes and the orderly conduct of the business.



City of Auburn City Council Speaker Card

Please complete this card and present it to the City Clerk before addressing the City Council. Speakers are requested to adhere to a 5-minute limit on each item.

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City Council Meeting
Speaker Card

Please complete and present a Speaker Card to the City Clerk for each agenda item you wish to address to the City Council.

Name of Speaker: _____

Address: _____

Telephone: _____

E-mail: _____

Agenda item number you would like to address _____ :

- ☐ Support
☐ Oppose
☐ Neutral
☐ Other _____

I would like to address the following subject not on the agenda:

Comments are limited to three (3) minutes or less.

Any information provided on this form will become part of the public record. We appreciate your participation.

Agenda Item #	Speaker #
---------------	-----------

www.cityofranchocordova.org



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CITY OF WEST SACRAMENTO REQUEST TO SPEAK

If you wish to address the City Council or a Board or Commission, please fill out the following information. In the event of inquiries, the information provided on this form will be provided to those who request it. Please print clearly. Give form (and any written information) to the City Clerk or clerk of the board or commission. At the appropriate time, the Mayor or meeting chair will call you to come forward to speak; time limits may be imposed on speakers and issues.

Name: _____
 Address: _____
 Phone: _____ Date: _____
 Representing: _____
 (self or organization)
 Agenda item(s) you wish to address: # _____ # _____ # _____

Legislative bodies are prohibited by law from discussing items that are not on the agenda but may ask clarifying questions, ask staff to follow-up or provide other direction. Non-agenda items must be limited to subjects within the jurisdiction of the legislative body.
Note: This card is considered a public record.

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**Regular Board Meeting
November 27, 2012 at 9:30 a.m.
Request to Speak Form**

Please complete the following information if you wish to speak at the Board of Commissioners Meeting.

Print Name: _____

Organization (if applicable): _____

Board Agenda Item Related to (if applicable)*: _____

**Persons wishing to address the Board on a regularly scheduled item on the agenda will be asked to limit their presentations to three minutes. Persons wishing to address the Board on any matter not on this agenda will be asked to limit their presentation to limited to two minutes.*

NOTE: The Chairperson may limit the number or duration of speakers on any matter.

If you want to provide written comments for the record only, and do **NOT** wish to address the Board orally, please write the comments below:

Once complete, please give it to the Clerk of the Board before the board meeting so the form can be given to the Board Chair.

1 RESOLUTION NO. 14-
2 RESOLUTION APPROVING ADOPTION OF REVISED CITY COUNCIL SPECIAL
3 RULES AND PROCEDURES
4 -----

5 THE CITY COUNCIL OF THE CITY OF AUBURN DOES HEREBY RESOLVE:
6 That the City Council of the City of Auburn does hereby adopt and
7 establish the City Council Special Rules and Procedures. A true and
8 correct copy of said rules and procedures are attached hereto as Exhibit
9 "A".

10
11 DATED: January 27, 2014

12 _____
13 Bridget Powers, Mayor

14 ATTEST:

15 _____
16 Stephanie L. Snyder, City Clerk

17
18 I, Stephanie L. Snyder, City Clerk of the City of Auburn, hereby certify
19 that the foregoing resolution was duly passed at a regular meeting of the City
20 Council of the City of Auburn held on the 27th day of January, 2014 by the
21 following vote on roll call:

22 Ayes:

23 Noes:

24 Absent:

25 Abstained:

26
27 _____
28 Stephanie L. Snyder, City Clerk